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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)  
04615-0100

In re Application of: **Weiner et al.**  
Application No.: **10/678,316**  
Filed: **October 2, 2003**  
For: **Imbedded Vinyl Flooring Product**

The owner\*, \_\_\_\_\_, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6903033 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 43,152

  
\_\_\_\_\_  
Signature  
**Stephen J. Stark**  
\_\_\_\_\_  
Typed or printed name

August 28, 2007  
\_\_\_\_\_  
Date

423.756.6600

\_\_\_\_\_  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. -- provided on June 5, 2006.

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